



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY ARMOR CENTER AND FORT KNOX
FORT KNOX KENTUCKY 40121-5000

ATZK-CFA (608)

10 December 2001

MEMORANDUM FOR

Commanders, All Units Reporting Directly to This Headquarters
Commanders, Fort Knox Partners in Excellence
Directors and Chiefs, Staff Offices/Departments, This Headquarters

SUBJECT: Thunderbolt Six Policy Memo No. 38-27 – Family Violence Prevention

1. Reference:

- a. AR 608-18, Army Family Advocacy Program, 1 Sep 95.
- b. AR 608-1, Army Community Service Center, 1 Oct 99.
- c. DOD Directive 6400.1, Family Advocacy Program, 23 Jun 92.

2. Family violence, which includes both child and spouse abuse, has an adverse impact on unit morale and readiness. The threat of domestic violence to soldiers and their family members is a matter of concern for Fort Knox and our civilian neighbors alike and will be a matter of command emphasis.

3. Commanders must take immediate and appropriate measures to protect victims from the alleged offender. These can include, but are not limited to, the issuance of no contact orders, removal of pass privileges, restriction to billeting area, removal from government quarters, and pretrial restraint in cases where Uniform Code of Military Justice (UCMJ) is warranted.

4. Domestic violence is a crime and should be reported immediately to the installation reporting point of contact (RPOC), the Military Police (MP), at 624-2111.

5. In those cases where a soldier is the victim of spouse abuse perpetrated by a non-soldier spouse and the abuser is cited with a US District Court Violation notice, the Garrison Commander will issue a bar letter against the alleged offender per Thunderbolt Six Policy Memo No. 38-3.

6. If an active duty soldier is identified as the alleged offender, commanders will order the offender into government furnished billeting, and to stay away from the quarters and the victim for a minimum of 72 hours (Commanders may permit officers and senior NCO's [E-8 and above] to reside at an approved alternate site at their own expense). Parties who choose to

ATZK-CFA

SUBJECT: Thunderbolt Six Policy Memo 38-27 – Family Violence Prevention

reunite after an incident of violence will be encouraged to participate in a risk assessment interview conducted by the Family Advocacy Program (FAP) prior to reunification. In situations where soldiers must retrieve basic necessities from their quarters/home, the commander will ensure the victim is notified and an escort superior in rank to the alleged offender is assigned to accompany the soldier to the home. If an Emergency Protective Order (EPO) or Domestic Violence Order (DVO) is in place, commanders will not permit the soldier to go to the home/quarters.

7. Where the civilian spouse is the offender, commanders will make every effort to ensure the safety of the soldier. Safety measures will include offering the victim soldier temporary living space in the unit's assigned billets or ensuring other suitable arrangements have been made.

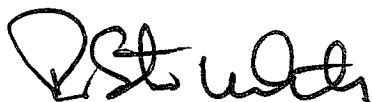
8. It is the commander's responsibility in coordination with the Office of the Staff Judge Advocate to determine if non-judicial or judicial punishment is warranted. The decision to punish a soldier for domestic violence will be based on the evidence, facts, and circumstances of the case and not whether the victim wishes the perpetrator punished.

9. Commanders will attend Case Review Committee (CRC) meetings when a soldier's or family member's case is being presented and will make every effort to ensure service members begin the recommended treatment immediately and follow through to completion.

10. The actions listed in Enclosures 1 and 2 are the minimum actions required of commanders in these situations. Nothing in this policy memorandum precludes a commander from taking any other lawful action deemed appropriate.

2 Encls

1. Domestic Violence Checklist
2. EPO Checklist



R. STEVEN WHITCOMB
Major General, USA
Commanding

CF:
DCG, USAARMC

ENCLOSURE 1

DOMESTIC VIOLENCE CHECKLIST

Date of Incident: _____

Upon the notification or discovery of any incident or credible report of domestic violence, commanders will immediately take the following steps:

1. Contact the unit Trial Counsel for legal guidance. ☐
2. Report the incident to the Military Police Desk Sergeant at 624-2111. ☐
3. Advise the soldier suspected of domestic violence of his/her Article 31, UCMJ, rights and, if he/she waives these rights, question the soldier to ascertain the facts and potential for harm to self and/or others. ☐
4. Contact the victim of the domestic violence to ascertain the facts and identify any immediate safety concerns. ☐
5. Make contact with the Victim Advocate Coordinator, 624-6291. The Fort Knox Family Advocacy Victim Advocate Program will work in close coordination with the command as well as on- and off-post agencies to ensure that safety measures are in place for providing advocacy assistance and support to victims of domestic violence. Victim participation in the program is voluntary. ☐
6. Provide billeting and order the soldier to move into the alternate billeting for a minimum of seventy-two (72) hours. If the seventy-two hour period ends on a weekend or holiday then the soldier will continue to stay in alternate billeting until the first duty day. ☐
7. Order the soldier to immediately turn-in all privately owned firearms to the unit's arms room. Send a NCO in the grade of E-6 or higher to the soldier's home to retrieve any firearms. Order the soldier to have no contact with firearms unless in the course of normal duty. ☐
8. Consider referring the soldier for a mental health evaluation at the Department of Behavioral Health USA MEDDAC, Fort Knox (624-9960). Take the soldier to the Emergency Room at USA MEDDAC during non-duty hours. Soldier must be advised of certain rights before being command-referred for a mental health evaluation. Consult with trial counsel prior to referral. Fort Knox Form FK 4388 will be utilized to make the referral (Refer to Fort Knox Home Page, Publications and Forms, click on E-forms, then click on FK 4388 and print). ☐
9. Reassess the situation at the end of the seventy-two (72) hour period, and determine if the above restrictions should be modified, continued, or canceled. ☐

10. Take any other additional measure the commander deems necessary to prevent further incidents of domestic abuse, injury, or death. Indicate below what other measures, if any, were taken.

☐

Other Measures (if applicable):

(NAME OF SOLDIER/RANK)(COMMANDER)

SSN: UNIT:

FORWARDED TO TRIAL COUNSEL ON:

ENCLOSURE 2

EMERGENCY PROTECTION ORDER CHECKLIST

Date of Incident: _____

Any time a soldier is the subject of an Emergency Protection Order (EPO) issued by any court, commanders will immediately take the following steps:

1. Upon notification by the Provost Marshal's Office (PMO) that an EPO has been received, the soldier will be escorted by a member of the chain of command in the grade of E-7 or higher to the PMO to be served the EPO. ☐
2. Contact the unit Trial Counsel for legal guidance. ☐
3. After service of the EPO upon the soldier, the soldier will be immediately escorted back to the commander. The commander will review the EPO, consult with trial counsel, and explain its contents to the soldier to ensure the soldier fully understands the restrictions of the EPO and the penalties for failure to obey it. If, after advising the soldier of his/her Article 31, UCMJ, rights, the soldier waives these rights, the commander will question the soldier to ascertain the facts and potential for harm to self and/or others. A copy of the EPO will be provided to the trial counsel. ☐
4. Provide billeting and order the soldier to move into the alternate billeting for a minimum of seventy-two (72) hours. If the seventy-two hour period ends on a weekend or holiday then the soldier will continue to stay in alternate billeting until the first duty day. ☐
5. Contact the victim of the domestic violence named in EPO to ascertain the facts and identify any immediate safety concerns. ☐
6. Make contact with the Victim Advocate Coordinator, 624-6291. The Fort Knox Family Advocacy Victim Advocate Program will work in close coordination with the command as well as on- and off-post agencies to ensure that safety measures are in place for providing advocacy assistance and support to victims of domestic violence. Victim participation in the program is voluntary. ☐
7. Consult with trial counsel and, if warranted, withdraw the soldier's pass privileges for a minimum of seventy two (72) hours. ☐
8. Order the soldier to remain in the battalion area, unless escorted by a member of the chain of command in the grade of E-6 or higher, for a minimum of seventy-two (72) hours. Coordinate with assigned trial counsel and give the soldier a written 'no contact' order. Should the EPO become a Domestic Violence Order (DVO), re-issue a written 'no contact' order for the duration of the DVO. ☐

9. Order the soldier to immediately turn-in all privately owned firearms to the unit's arms room. Send a NCO in the grade of E-6 or higher to the soldier's home to retrieve any firearms. Order the soldier to have no contact with firearms unless in the course of normal duty. ☐

10. Consider referring the soldier for a mental health evaluation at the Department of Behavioral Health USA MEDDAC, Fort Knox (624-9960). Take the soldier to the Emergency Room at USA MEDDAC during non-duty hours. Soldier must be advised of certain rights before being command-referred for a mental health evaluation. Consult with trial counsel prior to referral. Fort Knox Form FK 4388 will be utilized to make the referral (Refer to Fort Knox Home Page, Publications and Forms, click on E-forms, then click on FK 4388 and print). ☐

11. Reassess the situation at the end of the seventy-two (72) hour period and determine if the above restrictions should be modified, continued, or canceled. Regardless of what decision the commander makes, the soldier must be counseled concerning his/her obligation to continue to comply with the terms of the EPO. ☐

12. Take any other additional measure the commander deems necessary to prevent further incidents of domestic abuse, injury, or death. Indicate below what other measures, if any, were taken. ☐

Other Measures (if applicable):

(NAME OF SOLDIER/RANK)

(COMMANDER)

SSN: _____ UNIT: _____

FORWARDED TO TRIAL COUNSEL ON: _____